

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE PET FOOD PRODUCTS  
LIABILITY LITIGATION

: MDL DOCKET NO. 1850

:

:

:

:

:

:

:

:

:

:

**DECLARATION OF WES  
BARRICKLOW OF HILL'S PET  
NUTRITION, INC. IN SUPPORT  
OF DEFENDANTS' MOTION TO  
LIMIT THE RETENTION OF  
RECALLED PET FOOD AND  
RAW WHEAT GLUTEN**

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF SHAWNEE    )

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1)     I am the Director of Supply Chain Integration of Defendant Hill's Pet Nutrition, Inc. ("Hill's"). I am making this Declaration based upon personal knowledge and am competent to testify to the matters stated below.

2)     In my position as Director of Supply Chain Integration for Hill's, my duties and responsibilities include accounting for and managing the storage of the recalled pet foods currently being stored by Hill's and overseeing any issues related to that storage, including issues related to sanitation and infestation of the products.

**Exhibit 7**

3) In March, April and May 2007, Hill's recalled certain pet foods that may have been contaminated with wheat gluten that was purchased from ChemNutra, Inc. As a result of the recalls, much recalled product was returned to and collected by Hill's. Hill's has 28,001 cases of product and an additional 6,638 individual bags of product. Most of the recalled pet food is currently stored in Richmond and Muncie, IN, but recalled product is also being stored in City of Industry, CA, Seattle, WA, Vacaville, CA, and Nashville, TN.

4) The recalled products are inventoried by product-type or SKU and a date code. These product are stored in cases and stacked on full or partial pallets, which is similar to how Hill's stores packages and units at its manufacturing facilities. There are records and documents that show whether the stored product ever left Hills's warehouse or was delivered to a retailer and returned. Attachment A to this Declaration is an inventory list of the products currently stored by Hill's, the product date code and quantity of product.

5) The cost to Hill's of storing the recalled product is over \$3100 per month.

6) Hill's does not maintain any unorganized product.

7) Sanitation issues have arisen in regard to some of the stored product. For example, in the Muncie, IN storage facility, some of the stored product has begun to rupture, creating a dangerous sanitation and infestation issue that has required us to store some product in separate trailers. Product currently stored in warehouses in Seattle and Vacaville has begun to show sanitation problems, and the product will need to be moved to outside containers very soon.

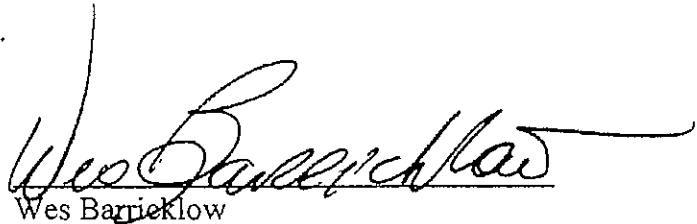
8) Attachments B and C to this Declaration are true and accurate photographs depicting the sanitation problems associated material stored in Hill's Seattle warehouse.

Attachment D to this Declaration contains true and accurate photographs depicting the storage conditions of materials in Hill's City of Industry warehouse. Attachment E to this Declaration contains true and accurate photographs depicting the storage conditions of materials at Hill's Seattle warehouse. Attachment F to this Declaration contains true and accurate photographs depicting the storage conditions of materials in Hill's Vacaville warehouse.

9) I have a general understanding of Dr. McCabe's proposed sampling plan for the Defendants' products. Hill's will be able to retain product in accordance with the sampling plan recommended by Dr. McCabe to the extent there is product available for each SKU and date code.

10) I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 10, 2007.



Wes Barrieklow